

Amendment No. 1 to SB2161

Bailey
Signature of Sponsor

AMEND Senate Bill No. 2161*

House Bill No. 2369

by adding the following as a new subsection (d) in SECTION 3:

(d)

(1) If the commission finds that a social media operator is operating in this state without a valid certificate, or has failed to provide the commission with all information required by this section or by rule of the commission regarding the application for a certificate or the operation of the social media platform, then the commission shall provide the operator with written notice of its failure to comply.

(2) If, after sixty (60) days of providing notice under subdivision (d)(1), the operator remains out of compliance, then the commission shall conduct a contested case hearing and may fine the operator in an amount not to exceed fifty thousand dollars (\$50,000), and may exercise discretion in the amount of such fine based on the severity of the operator's noncompliance. The commission may levy such fine each thirty (30) days thereafter against the operator if the operator remains noncompliant.

AND FURTHER AMEND by adding the following as a new SECTION 6 and redesignating the subsequent sections accordingly:

SECTION 6. The court of appeals has exclusive jurisdiction to hear an appeal of a final action of the commission after a contested case hearing under this chapter.